



The following constitutes the order of the Court.
Signed: November 21, 2022

Stephen Johnson

Stephen L. Johnson
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

EVANDER FRANK KANE,

Debtor.

Case No. 21-50028-SLJ
Chapter 7

CENTENNIAL BANK, an Arkansas state
chartered bank,

Plaintiff,

v.

EVANDER FRANK KANE,

Defendants.

A.P. No. 21-05016 SLJ

**ORDER DENYING EX PARTE MOTION TO SET JANUARY 10, 2023 HEARING ON
MOTION FOR SUMMARY JUDGMENT**

The Court has reviewed the Ex Parte Motion to Set January 10, 2023 Hearing on Motion for Summary Judgment, etc. ("Ex Parte Motion") (ECF 38). The Trial Scheduling Order entered on February 25, 2022 (ECF 33) sets out a carefully calibrated schedule to bring this case to trial that is consistent with conducting an orderly trial and the Court's calendar. The deadline to hear a motion for summary judgment contained in that order (December 15, 2022) is simply a deadline

ORDER DENYING EX PARTE MOTION

1 for action. The order does not control whether a motion will be filed, it simply provides a deadline
2 for it to be heard. It is the moving party's responsibility to find an appropriate calendar date and
3 file and notice the motion with sufficient time for it to be heard before the deadline. The proposed
4 change to the schedule described in the Ex Parte Motion is inconsistent with the trial schedule,
5 would interfere with trial preparation, and offers too little time for the court to evaluate and decide
6 the motion.

7 Accordingly, the Ex Parte Motion is DENIED.

8 IT IS SO ORDERED.

9 ***** END OF ORDER *****

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ORDER DENYING EX PARTE MOTION

COURT SERVICE LIST

[ECF Recipients]

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